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| Meeting: | Employees' Consultative Forum |
| Date: | 5 July 2005 |
| Subject: | Middle Management Review |
| Responsible Officer: | Executive Director, Organisational Development |
| Contact Officer: | Jon Turner, Group Manager, Human Resources |
| Portfolio Holder: | Portfolio Holder For Communications, Partnership & Human Resources |
| Key Decision: | No |

Section 1

1.0 Summary

- 1.1 This report provides a response to the issues raised in UNISON's report to the Forum on the Council's middle management review and the impact on employees and services.

1.1 Decision Required

N/A – Report is for information only.

1.2 Reason for report

To respond to the issues raised in UNISON's report.

1.3 Benefits

To provide the Forum with additional information on the Middle Management Review.

1.4 Cost of Proposals

N/A

1.5 Risks

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| N/A |
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1.6 Implications if recommendations rejected

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| N/A |
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Section 2: Report

2.1 Background

- 2.1.1 On 20 April 2004, Cabinet received a report from the Executive Director – Organisational Development proposing a revised structure including a revised pay and grading structure for the middle management tiers within the organisation.
- 2.1.2 The report advised that the implementation would be by means of the protocol for organisational change agreed with the trade unions and that further detailed consultation with trade unions and individual employees would be required.
- 2.1.3 Initial consultation on the review took place in February 2004 following which, Executive Directors and Directors met with managers and UNISON to discuss the outline structures and the principles behind the proposals. Meetings followed this with Officers from UNISON and a series of briefings for managers during April and May, which were also attended by Officers of UNISON.
- 2.1.4 The briefings explained, in detail, the process that would be followed for implementing the review, the proposed timescale and the support that would be available to managers involved in the review.
- 2.1.5 In addition to the briefings, individually managers also received regular communications including updated Q&A bulletins from the briefings and a 'transition support pack', which detailed the transition support arrangements.
- 2.1.6 From the outset it was explicit that the Council's new structure had fundamentally changed the nature and roles of the executive management structure and that the roles in the new middle management structure would also be significantly different. Consequently, it was decided it was not appropriate to use assimilation to fill posts in the new structure.
- 2.1.7 The process for appointing to posts in the new structure was the subject of wide consultation and agreed with both with the trade union and other stakeholders to ensure it was fair and free from bias.
- 2.1.8 There have been no appeals lodged in respect of appointments to post in the middle management structure. There has been a complaint regarding failure to follow the agreed process and this has been the subject of an investigation.
- 2.1.9 Unison's report does not recognize the consultation and communication that took place, and claims that there have been 'unfair and illegal practices'. This is not the

case. UNISON also claim that they have made 'many efforts to rectify these' but their 'calls have fallen on deaf ears'. This again appears not to recognize the investigation that has taken place into the complaint that has been made and UNISON's involvement in the review undertaken at the end of 2004 – (see below). This is the first time that UNISON has reported these concerns to the Employees' Consultative Forum.

2.2 Process

- 2.2.1 UNISON claim the review started before the final structure was agreed. This true as the review commenced in February 2004 and the structure was not agreed until Cabinet in April, following which there was further consultation before structure were finalised.
- 2.2.2 At the time of writing the Council has made significant progress, however in the intervening period other factors, have also impacted on the middle management structures. Most significant has been the changes in the Urban Living structure predicated by the decision not to proceed with the ALMO. These changes reflect a continuing need to review structures to meet changing service needs and this will inevitably impact on staff.
- 2.2.3 All new posts in the middle management structure are initially ringfenced to existing middle managers so as to ensure they have the opportunity to be considered for these posts.
- 2.2.4 UNISON reports concerns regarding the scoring system, in that it allows the panel to assess applicants as meeting competencies with 'development needs'. This option was introduced in recognition that some managers would demonstrate competence in the majority of areas but may have to develop in order to fully meet all the competencies of a role. By allowing the panel to consider applicants as meeting a competency 'with development needs', it enables them to make an appointment where it may otherwise have been unable if the applicant had not demonstrated fully their competence at the required level.
- 2.2.5 Managers who feel the process has been unfair are entitled to raise the matter under the Council's grievance procedure. No grievances have been received to date.
- 2.2.6 UNISON are concerned that elected members have 'knowingly or unknowingly allowed the employees of this council to be treated unfairly' and ask the Forum to appoint a panel to investigate. The middle management review is the subject of ongoing review by the Overview and Scrutiny Committee who have established a review group to monitor the process.
- 2.2.7 The Scrutiny review group has considered the findings of an independent consultant who undertook a comprehensive review of the process, including interviews with UNISON and managers, and reported to the Council's Overview and Scrutiny Committee in April 2005. Further work is programmed for later this year, which also involves the participation of both UNISON and staff.

2.3 Consultation

2.3.1 This report is in response to a report from UNISON, there has been insufficient time to consult with UNISON before reporting.

2.4 Financial Implications

2.4.1 N/A.

2.5 Legal Implications

2.5.1 N/A.

2.6 Equalities Impact

2.6.1 The equalities impact of the middle management review is closely monitored and monitoring information is regularly reported.

Section 3: Supporting Information/ Background Documents

Documents available on request::

Cabinet Report on Review of Middle Management Structure – April 2004
Overview and Scrutiny Report on Scrutiny Review of Middle Management Review – April 2005.